



MEMORANDUM

DATE: June 11, 2008
For June 26, 2008 Hearing
Albert Elias
FROM: Albert Elias, AICP
Urban Planning & Design
Director

TO: Peter M. Gavin
Zoning Examiner

SUBJECT: SPECIAL EXCEPTION LAND USE – URBAN PLANNING AND
DESIGN REPORT
SE-08-07 Clarum Yavapai, LLC. – Yavapai Road, R-3 (Ward 3)

Issue – This is a request by Forest Metz, with Urban Engineering, on behalf of the property owners, Clarum Yavapai, LLC, for approval of a single family residential cluster project (RCP) as a special exception land use in the R-3 zone. The project site is located on the south side of Yavapai Road, between Stone and Fontana avenues. (see Case Location Map). The preliminary development plan proposes 34, one and two story single family units on four acres.

On October 24, 2006, the Mayor and Council adopted Ordinance No. 10334 amending the *Land Use Code* Section 3.6.1 Residential Cluster Project (RCP). The amendment added a new section 3.6.1.2 C, requiring RCPs, five acres or less in size, to be reviewed and approved as a special exception through the Zoning Examiner Full Notice Procedure, Development Compliance Code, Sec. 23A-50 and 23A-53. The Zoning Examiner will render a decision to grant the use with or without conditions, or to deny the use.

Department of Urban Planning and Design Recommendation – The Department of Urban Planning and Design recommends approval of the RCP under five acres as a special exception land use, subject to the attached preliminary conditions.

Background Information - This special exception request represents the fourth RCP, five acres or less in size, submitted since the Mayor and Council adopted Ordinance No. 10334 in October 2006.

Existing Land Use: Undeveloped, church/school and associated parking.

Surrounding Zones and Land Uses:

North: Zoned R-3; Single and multi-family residences
South: Zoned R-3; Single family residences.
East: Zoned R-3; Single and multi-family residences.
West: Zoned R-3; Single and multi-family residences.

Previous Cases on the Property: None.

Related Cases:

C9-07-29 Kippes – Uhl Street, RX-2 to R-2 Zone. This was a request to rezone approximately 0.83 acres from RX-2 to R-2 zoning to allow a Residential Cluster Project with density increase (RCP-6 (B)) comprised of eight, two-story residential units, on 0.83 acres. The rezoning site is located approximately 1,625 feet south of Broadway Boulevard and 400 feet west of Pantano Road. On March 18, 2008, the Mayor and Council authorized the requested zoning. No further action has been taken on this project.

SE-07-26 Kippes - Uhl Street, RX-2 Zone. This was a request for approval of a Residential Cluster Project with density increase as a special exception land use comprised of eight, two-story residential units on 0.83 acres in the RX-2 zone. The development site is located approximately 1,625 feet south of Broadway Boulevard and 400 feet west of Pantano Road. On April 17, 2008, the Zoning Examiner approved the special exception request, subject to conditions.

SE-07-29 Settler's Trace – Third Street, R-3 Zone (Ward 6). This was a special exception request to allow the development of a residential cluster project (RCP-7) in the R-3 Zone. The project site is located on the south side of 3rd Street, approximately 350 feet west of Alvernon Way. The preliminary development plan proposes eleven, two-story, single family residential units on 0.83 acres. On January 17, 2008, the Zoning Examiner approved the special exception request, subject to conditions.

SE-07-32 Dos Hombres, LLC – Columbus Boulevard, R-1 Zone. This was a request for approval of a special exception land use for a residential cluster project (RCP) on 1.62 acres in the R-1 Zone. The project consisted of nine, one and two story, single-family residential units, with a maximum height of 25 feet. The project site is located between Fort Lowell Road and Glenn Street, on the northwest corner of Columbus Boulevard and Blacklidge Drive. On March 13, 2008, the Zoning Examiner approved the special exception, subject to conditions.

Applicant's Request – The applicant requests approval of a single family residential cluster project (RCP), comprised of 34 lots on four acres, as a special exception land use in the R-3 zone.

Planning Considerations

Land use policy direction for the project site is provided by the *Cragin-Keeling Area Plan (CKAP)* and the *General Plan*. The *Design Guidelines Manual (DG)* also provides guidance for development. The *CKAP* is intended to guide future development while protecting and improving existing neighborhoods and plan policies are used in evaluations of Residential Cluster Project (RCP) subdivisions. The *CKAP Conceptual Land Use Map* designates the site as

high density residential, which is defined as 15 or more units per acre. The density proposed for this project is 8.75 units per acre, which is classified by the *CKAP* as medium density. The medium density proposed will transition well into the neighborhood because development surrounding the project site ranges from single family detached homes to higher density multi family structures.

New residential development, that preserves and enhances the existing residential character of the area, is encouraged by the *CKAP*. The purpose of Residential Policy 1 is to preserve and enhance the integrity of established interior neighborhoods. The *CKAP* encourages neighborhoods to establish a list of such unifying element(s) such as, building materials, colors, landscaping, or building design, which by repetition, characterize their area. Residential Policy 2.a. is to ensure that new residential development is sensitively designed to enhance existing land uses by using similar scale, density, and character. This may be further accomplished by ensuring that appropriate design elements and buffering techniques are incorporated during the project and development review processes. The *CKAP* also suggests that internal pedestrian circulation systems should connect to the public sidewalk and that parking areas include design elements to decrease heat absorption within the paved area.

Both the *CKAP* and the *General Plan* support the use of innovative site design that includes usable open space with active/passive recreational areas that are accessible to the handicapped. The *Plans* also encourage the use of appropriate fences, walls, and vegetation screens when locating higher density residential development adjacent to established neighborhoods. The *Plans* propose that signage be designed as an element of the landscape plan to avoid conflicts between plant material and sign placement.

The project site is currently occupied by the Tucson Independent Baptist Church/School building, a large parking area and an undeveloped lot on the west side. Land uses surrounding the project site are comprised of a mix of single and multi family residences. Vehicular access to the project site is proposed from Yavapai Road. Yavapai Road, located two blocks south of Prince Road on the east side of Prince Road, is not identified on the *Major Streets and Routes Plan* map. Prince Road and Stone Avenue are identified as arterial roadways with future right-of-ways of 120 and 90 feet respectively on the *Major Streets and Routes Plan* map.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 325 vehicle trips per day. Field inspection by staff indicates there are currently no billboards on the project site.

Design Considerations

Land Use Compatibility – The applicant proposes two house plans and three neutral color palettes to provide architectural variation. The single story plan includes a tower with a pitched roof, surrounded by multiple flat roofs set at different heights. The two story model has two pitched roofs, also a different heights. Parcels abutting the project site on the north, south, east

and west sides are zoned R-3. The applicant is proposing to place the two story homes where two story homes abut the property and one story homes where existing one story homes are adjacent so that the proposed project transitions into the neighborhood.

A decorative masonry wall, six feet in height, is proposed behind a landscape buffer, ten feet in width, along Yavapai Road. The wall is proposed to continue around the entire site. In addition, decorative masonry walls, six feet in height, are proposed between the residential units and around the perimeter of the park site. However, to provide visibility into the park, the wall proposed is designed with masonry material on the lower portion and wrought iron on the upper wall.

The preliminary development plan shows a small area of turf and seat walls located at the ‘upper’ level of the retention/park site. The application does not mention whether other recreation amenities will be included in the park. Staff recommends that amenities be included to increase the usability of the recreation area. Examples of recreation amenities recommended include, tables, outdoor grills, adult exercise equipment (PAR course) or a tot lot with appropriate tot equipment and ground material.

Drainage/Grading/Vegetation – The PDP indicates that a proposed park site will also serve as a retention basin, which will collect about two-thirds of the onsite runoff water. Rainwater harvesting is also proposed at individual home sites. All water harvesting techniques are to be clearly delineated on the development plan and in accordance with C.O.T. Water Harvesting Guidance Manual.

Drought tolerant desert plants are proposed for the landscape plantings, which are concentrated along Yavapai Road and in the park. The landscape plan specifies all trees are fifteen (15) gallon size. Trees shown along the interior drive are sparsely planted. Staff recommends a minimum of one 15 gallon tree, located no more than ten (10) feet from the back of the sidewalk, on every other lot frontage, and one tree for every four guest parking spaces to provide adequate shade and reduce the ‘heat island’ effect. Staff recommends that all project signage is designed as an element of the landscape plan to avoid conflicts between mature plant growth and sign placement.

Road Improvements/Vehicular Access/Circulation – No new public streets are associated with the proposed RCP. Access to the proposed project is provided along Yavapai Road as a single ingress/egress point. Vehicular circulation onsite is provided by a private drive that loops through the middle of the project site. Pedestrian circulation will be provided within the proposed development by sidewalks located on both sides of the streets that connect to public sidewalks along Yavapai Road.

Development Services Department staff has indicated that a development standard modification request will be required for the guest parking/street cross-section and the typical cross section for the interior private drive, as proposed on the April 25, 2008 preliminary development plan.

Performance Criteria

Section 3.6.1.4 Development Criteria of the *LUC* states: RCPs shall comply with the following criteria.

A. General Criteria.

3. When the RCP site area is five (5) acres or less, architectural design of the proposed RCP shall conform to at least six (6) of the purpose and intent statements as stated in Sec. 3.6.1.1, conform with Development Standard 2-10.3.2.C and must be compatible with, or complementary to, the design characteristics of those existing single-family detached or attached structures along the same block frontage and the block frontage across the street. If the RCP is proposed on a corner lot, then its design will also be compatible with, or complementary to, the design characteristics of existing residential development on the opposite lot corners. Architectural compatibility will be in compliance with design criteria in applicable adopted neighborhood or area plans. (Ord. No. 10334, §1, 10/24/06)

3.6.1.1 Purpose. The purpose of the Residential Cluster Project (RCP) is to provide greater flexibility and creativity in the design of clustered residential development by:

- A. Providing incentives to achieve community goals, such as historic and archaeological preservation, preservation of natural vegetation, barrier-free housing, development within low-income areas, and in-fill housing projects;

The proposed project achieves the community goal of providing an in-fill housing project.

- B. Maintaining consistency with the goals and objectives of the *General Plan*;

The proposed development is consistent with the goals of the General Plan to “promote quality design for residential use ...”. (Element 4: Community Character and Design, Policy 6)

“All development should incorporate environmentally sensitive design that protects the integrity of existing neighborhoods, complements adjacent land uses, and enhances the overall function and visual quality of the street, adjacent properties, and the community.” (Supporting Policy 6.1)

The applicant proposes two house plans and three neutral color palettes to provide architectural variation. Parcels abutting the project site on the north, south, east and west sides are zoned R-3 and consist of a mix of one and two story single and multi family residential structures. The applicant is proposing to place the two story homes where two story homes abut the property

and one story homes where existing one story homes are adjacent so that the proposed project transitions into the neighborhood.

C. Providing incentives for design and development of low- and moderately-priced housing;

Pricing information was not provided by the applicant.

D. Consolidating open space;

The open space area designed for this project is centrally located within the proposed development and also serves as a retention basin.

E. Efficiently using land and public facilities by means of a more economical arrangement of buildings, circulation systems, land uses, and utilities;

The project site is located within one-half mile of to the Woods Library, Amphi Neighborhood Park, and an elementary, middle and high school. The site plan has been designed so that the proposed park/open space is centrally located on the interior of the proposed development.

F. Preserving to the greatest extent possible existing landscape features and amenities, such as significant topography, protected peaks and ridges, natural vegetation, and floodplains, and integrating such features with structures and other improvements;

There are no natural features, significant topography or vegetation to be preserved on site.

G. Providing usable and suitably located recreation facilities and other public and common facilities;

The retention basin is to be landscaped and useable as a park/open space for the residents. A small area planted with turf and seat walls are proposed at the 'upper' level of the retention basin.

H. Coordinating architectural styles, building forms, and building relationships within the development and with surrounding land development; and

The character and materials of the homes surrounding the site varies from brick and adobe to mobile homes. The applicant proposes structures with designed with traditional Spanish architecture and contemporary elements, available in three color palettes. The colors and materials are similar to other structures used in the immediate neighborhood. One story units are proposed where existing one story homes are adjacent and two story units are located where existing two story structures about the site. Smaller lots proposed with two story units are located on the interior of the development.

I. Encouraging high-quality development within the city

The proposed development represents a high quality development in the city. The site has been designed with sensitivity to the surrounding neighborhood by using compatible colors and building materials, as well as architectural style. Balconies have been located to face the street and upper story window sills start at five feet. The application includes renderings illustrating the use of 'five sided' architecture and a variety of rooflines. The single story plan includes a tower with a pitched roof, surrounded by multiple flat roofs set at different heights. The two story model has two pitched roofs, also at different heights. The proposed perimeter walls are masonry and the illustrations indicate the use of two decorative materials.

Conclusion – The proposed project is supported by the policy direction of the *CKAP* and the *General Plan*. With the architectural variety, a mix of one and two story units, and medium density proposed, the project will transition easily into the neighborhood. Subject to compliance with the attached preliminary conditions, approval of the requested four-acre RCP in the R-3 zone is appropriate.

Preliminary Conditions

PROCEDURAL

1. A subdivision plat in substantial compliance with the preliminary development plan dated April 25, 2008, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 4.1.1 of the *Land Use Code*.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled “Agreement to Waive Any Claims Against the City for Zoning Amendment”.
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Archaeologist. Pursuant to A.R.S. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.
4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. “Safe by Design” concepts shall be incorporated in the development plan for review by the Tucson Police Department.
6. Owner/developer shall enter into a Sewer Service Agreement with Pima County that specifies the improvements to be made to Pima County's public sewerage system, and the timing of said improvements.
7. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of the special exception.

LAND USE COMPATABILITY

8. Any required or proposed masonry screen walls shall be constructed of, or painted with, graffiti-resistant materials and shall be painted with colors found predominately in the natural desert landscape. These screen walls shall incorporate one of the following decorative materials: (a) tile, (b) stone, (c) brick, (d) textured brick/block, (e) a coarse-textured material such as stucco or plaster, or (f) a combination of the above materials. A typical section shall be placed on the Tentative Plan or Landscape Plan.
9. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
10. Six (6) inch wide, or greater, fence block shall be used for perimeter walls.

Preliminary Conditions

11. Patio walls for units 34 & 38 abutting recreation areas will incorporate view walls to address safe-by-design concepts.
12. Side and rear building facades adjacent to public right-of-way and residentially zoned property will be built with attention to architectural character and detail comparable to the front façade and a Sonoran desert color design theme shall be applied to all units. Enhancement can include design treatments such a pop outs, color variation, etc. To demonstrate compliance with the above special exception conditions, dimensioned elevation drawings with proposed colors and materials are to be submitted as a part of the platting process to Community Development Review Committee.
13. Units of the same color and design shall not be placed next to one another.
14. Units 1, 3, 18-22, 23, 25, 26, and 28 shall be limited to one-story units.
15. Clerestory windows only for all second story windows on unit 17 facing toward the south, and no balconies allowed for the second story floor facing the south.
16. All exterior mechanical equipment shall be screened from view from adjacent development and street frontages, and shall be architecturally integrated into the overall design of the development.
17. To enhance public safety and reduce the incidences of crime, “Safe by Design” concepts will be incorporated in the development plan for review by the Tucson Police Department.

DRAINAGE/GRADING/VEGETATION

18. Should buffelgrass be present on the site, a buffelgrass mitigation management plan shall be created for the site as a component of the Native Plant Preservation Plan portion of the Landscape Plan.
19. One canopy tree shall be provided within the guest parking area for each four motor vehicle parking spaces.
20. Provide a minimum of one fifteen (15) gallon tree, no more than ten (10) feet from the back of the sidewalk, on every other lot frontage to create a pleasant microclimate for pedestrians and increase the aesthetic appeal of the development.
21. Signage shall be integrated into the overall design of the subdivision and landscaping with emphasis on scale, height, and color.
22. Retention/detention basin shall also serve as a recreation area and will incorporate elements of usable open space and active/passive recreational space. These areas will be made ADA

Preliminary Conditions

accessible. The recreation areas will include active/passive facilities appropriate to serve the proposed buyer market. To increase the usability of the recreation areas, provide a wide range of shade trees from the Low Water Use Drought Tolerant List.

23. Preparation of a complete Drainage Report, including details of detention/retention, is required. Should detention/retention be required, the following will apply:

a. Each detention/retention basin shall include a sediment trap, or other sediment control measures as approved by the City Engineer, to prevent sedimentation of the detention/retention basin. Each sediment trap, or other sediment control measure, shall have a provision for total drainage.

b. Detention/retention basin floors shall be graded to drain either toward the outlet structure or other logical point. Basin floors shall not be flat.

c. Detention/retention basins in or adjacent to the residential area shall be located adjacent to a street or accessible common area. Basin sideslopes in the adjacent area(s) shall be designed and constructed in accordance with the requirements of the Detention/Retention Manual for human activity zones.

d. Rectangular basin shapes shall be avoided unless necessitated by recreational or visual amenities within the basin.

e. Vegetation shall be used as screening and/or security barrier for a minimum of ten percent of the basin perimeter.

f. All security barriers and screening for detention/retention basins shall meet Safe By Design guidelines.

24. Rain water harvesting must be conducted at this site per the requirements in Land Use Code (LUC) section 3.7.1.1.A, requiring that landscaping should accomplish natural resources conservation; LUC Section 3.7.4.3.B requiring integration of grading, hydrology and landscaping to make the maximum use of stormwater for on-site irrigation; and LUC Section 3.7.4.5.B requiring that stormwater and runoff harvesting be used to supplement drip irrigation for both new and preserved vegetation. Techniques to design and implement water harvesting are described in the City of Tucson's Water Harvesting Guidance Manual. This document can be downloaded as a pdf file from the following website:
<<http://dot.ci.tucson.az.us/stormwater/>>.

To comply with the above-referenced LUC sections, rainwater harvested from building roofs, sidewalks, and parking lots shall be employed to assist in supporting landscaped areas including parking lot tree wells, landscape buffers, sidewalk plantings, and other vegetation locations at the site. Site plans shall include Water Harvesting Plan & Detail sheet(s) showing all water harvesting locations at the site including common areas, perimeter buffer areas and any retention/detention basins and should include the length, width and finished

Preliminary Conditions

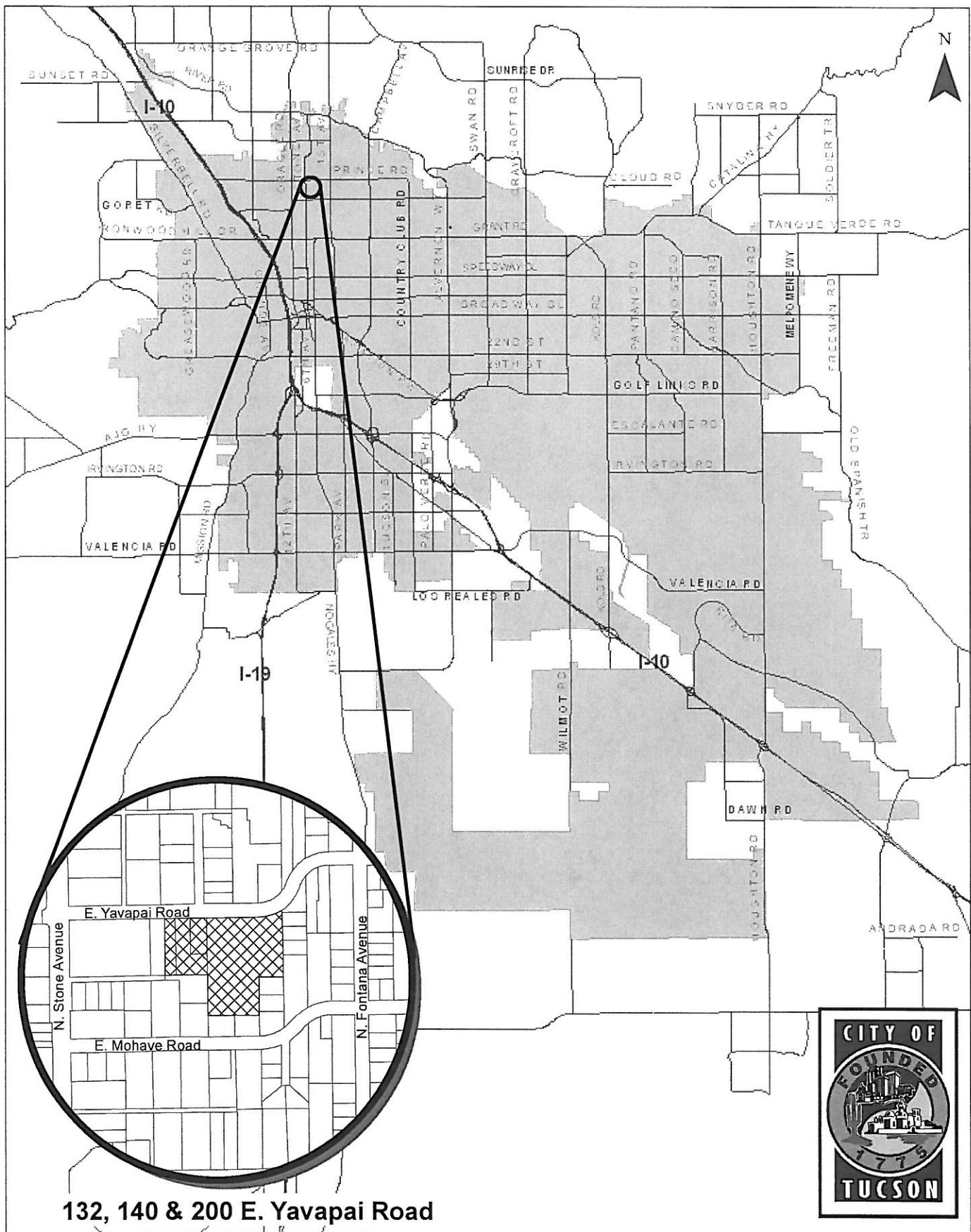
depth of the water harvesting areas, curb openings, raised walkways, use of mulch, and drainage arrows showing runoff routing to each water harvesting area and information on where overflow will be routed.

The Office of Conservation and Sustainable Development shall be consulted regarding water harvesting principles, techniques, and code requirements. Please contact Ann Audrey at 837-6932, or Frank Sousa at 837-6581 to make an appointment.

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

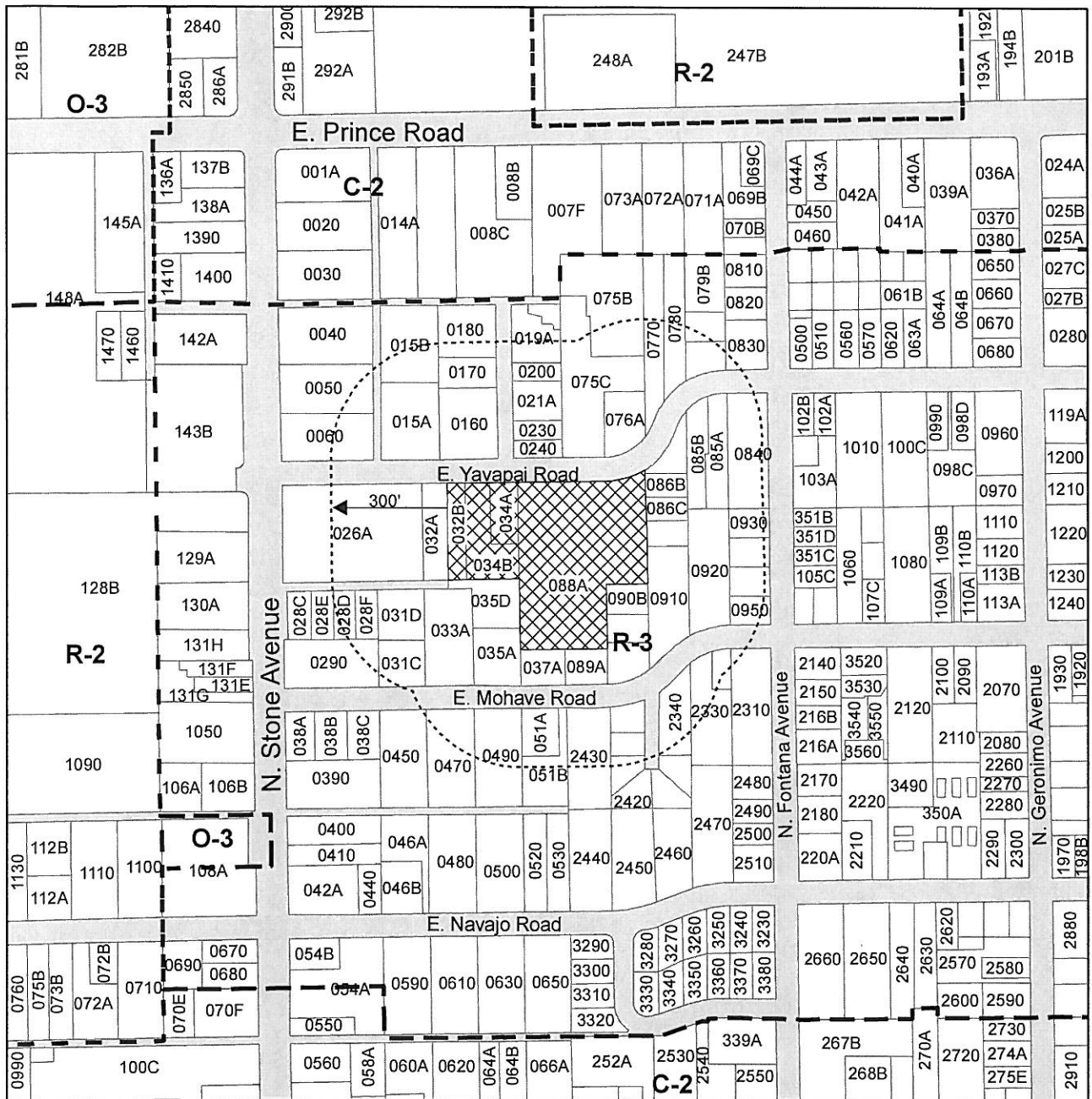
25. There shall be only one ingress/egress point off of Yavapai Road and sidewalks shall be added to both sides of the interior streets connecting to the Yavapai Road public sidewalk.
26. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development will be at no expense to the Public.
27. Dedication, or verification of existence, of appropriate abutting rights-of-way as determined by DSD.
28. Installation of appropriate abutting street improvements (curb and sidewalks) as required by DSD.

SE-08-07 Clarum Yavapai, LLC - Yavapai Road



SE-08-07 Clarum Yavapai, LLC - Yavapai Road

Special Exception - Full Notice Procedure



0 200 400
Feet

1 inch equals 400 feet



Area of Special Exception Request

R-3

Zoning of Requested Area



Notification Area (300 foot radius)



Zone Boundaries

Neighborhood, Area Plan(s): Cragin - Keeling Area Plan

Address: 132, 140 & 200 E. Yavapai Road

Base Maps: Sec.25 T.13 R.13

Ward: 3



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